

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID RUELAS-CARBAJAL,

Defendant.

8:16CR360

ORDER

This matter is before the court on defendant's MOTION FOR EXTENSION OF TIME [18] to file pretrial motions. For good cause shown, I find that the motion should be granted. The defendant will be given an approximate 31-day extension. Pretrial Motions shall be filed by February 10, 2017.

IT IS ORDERED:

1. Defendant's MOTION FOR EXTENSION OF TIME [18] to file pretrial motions is granted. Pretrial motions shall be filed on or before February 10, 2017.
2. Defendant is ordered to file the affidavit required by Rule 16(c), Fed. R. Cr. P. and NE. Crim. R. 12.1 forthwith.
3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the time between January 10, 2017 and February 10, 2017, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

Dated this 11th day of January, 2017.

BY THE COURT:

s/ F.A. Gossett, III
United States Magistrate Judge